

**Borough of Rocky Hill
Borough Council
Minutes of the Regular Meeting
May 21, 2012**

The regular meeting of the Borough Council of the Borough of Rocky Hill was called to order by Mayor Edward Zimmerman at 7:30 PM followed by the salute to the Flag. The Mayor asked everyone to remember the Robotti family in their prayers as they recover from their illnesses.

NOTICE OF COMPLIANCE WITH OPEN PUBLIC MEETINGS ACT

Mayor Zimmerman read the following statement into the record: This meeting is called pursuant to the provisions of the Open Public Meetings Law. This meeting was included in a list of meetings transmitted to the Courier News and Somerset Spectator on January 11, 2012. Notice remains continuously posted as to required notices under the Statute. A copy of this notice is available to the public and is on file in the Office of the Borough Clerk.

ROLL CALL

Mr. Tom Bremner-present, Mr. Jeff Donahue-present, Ms. Julia Hasser-present, Mr. Mark Pausch-present, Mr. Josh Hochberg-present, Mr. Robert Steen-absent.

Also present: Mayor Ed Zimmerman, Borough Attorney Albert Cruz, and Borough Engineer Bill Tanner (8:00 PM).

EXECUTIVE SESSION

Contract Negotiations: Rocky Hill Cooperative Nursery School Lease Renewal--CANCELED

MAYOR'S COMMENTS

The Mayor was asked by the Post Master of the Rocky Hill Post Office to show support for keeping the local post office open. The Mayor discovered the reason the Borough was receiving calls related to the Superfund cite is that the insurance company covering the claims is declaring bankruptcy. The June meeting of the Somerset County Governing Officials will be a picnic in Millstone. The Mayor attended the Governor's Town Hall meeting in Franklin, as well as the EMC meeting. All Council members are required to attend ICS 402 training. The Town-Wide Yard Sale and large trash pick-up went well. The Mayor thanked the mayor of Watchung for inviting him to a Triathlon held in Watchung.

APPROVAL OF MINUTES

Regular Meeting Minutes – May 7, 2012. Hochberg moved to approve the minutes as presented.

Pausch seconded the motion. Motion carried on roll call vote- all ayes.

For: Bremner, Donahue, Hasser, Hochberg, Pausch

Against: None

Abstain: None

REQUEST OF COUNCIL FOR NEW OR UNFINISHED BUSINESS

Nothing added.

PUBLIC COMMENT

Raymond Whitlock of 94 Crescent Ave. suggested that someone write an article for the League of Municipalities newsletter about the work done by the Borough officials in Panicaro Park.

APPROVAL OF VOUCHERS

Bill List Dated May 21, 2012 was presented for approval. Donahue moved to approve all vouchers except 7218. Motion seconded by Hasser. Motion carried on roll call vote – all ayes.

For: Bremner, Donahue, Hasser, Hochberg, Pausch

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Against: None

Abstain: None

Donahue moved to approve voucher 7218, and Hasser seconded the motion. Motion carried on roll call vote – all ayes.

For: Donahue, Hasser, Pausch

Against: None

Abstain: Bremner, Hochberg

DEPARTMENTAL REPORTS

Tax Collector—April 2012

Court Administrator—April 2012

Mayor Zimmerman summarized the Court Administrator's report. Motion was made by Donahue to accept the report as presented. Motion seconded by Pausch. Motion carried on roll call vote – all ayes.

For: Bremner, Donahue, Hasser, Hochberg, Pausch

Against: None

Abstain: None

COMMITTEE REPORTS:

Administration & Records – J. Hochberg

With passage of Resolution, ordering IT equipment for the Clerk's office. Working on fee ordinances.

Buildings & Grounds – T. Bremner

The mulching of Panicaro Park was a success due to the help of many people. The state inspected the Green Acres and found no problems. Bremner would like to get a big recycling container between June 11-13 to get rid of unusable metal from the basement. The Borough Attorney advised that there must first be a resolution declaring the items to be recycled as surplus. Work on the new sign for Borough Hall has stalled at the County.

Finance & Insurance – J. Donahue

Insurance documents are under review.

Public Safety & Emergency Services – M. Pausch

Gearing up for second quarter EMC meeting. Getting Bill Hallman prepared for work as summer constable.

Streets & Roads – J. Hasser

Not making progress with County on pedestrian signs. Borough has received County form for re-striping.

Water, Sewer & Environmental Protection – R. Steen

No report.

Council Representative to Planning Board – J. Hasser

Chair Raymond Whitlock reported that the Board reviewed the approvals granted by the Historic Subcommittee. The Chair requested that the Board review the Historic District ordinance for the June meeting, and at that time the Board will decide if there is a consensus to amend the ordinance to make it more resident friendly without losing historic character.

Council Liaison to Recreation Committee – J. Donahue

Tennis camp will be held the week of July 2-6. Will try to eliminate wasps around tennis courts before July 4th celebration. Budget for July 4th celebration has been submitted. Planning for the duck race has begun.

Council Representative to Board of Health – M. Pausch

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A surge in Lyme Disease is expected in the summer months. 31 dogs and 21 cats were vaccinated at the rabies' clinic.

Zoning Official's Report – M. Blasch

No report.

Grants Committee – T. Bremner

Grant proposal for the preservation of Borough Hall was submitted to the County. The Fire Department also submitted a grant proposal to the County. The Mayor reported that the New Jersey Department of Transportation is accepting grant applications for transportation enhancement.

SPECIAL BUSINESS

Introduction Ordinance 2012-04: An Ordinance Authorizing the Lease Renewal of Certain Municipal Lands and Buildings, being the South Room on the First Floor of Borough Hall, 15 Montgomery Avenue in the Borough of Rocky Hill, to the Rocky Hill Cooperative Nursery School

Hasser moved to introduce Ordinance 2012-04. Pausch seconded the motion. Motion carried on roll call vote – all ayes.

For: Bremner, Donahue, Hasser, Hochberg, Pausch

Against: None

Abstain: None

Public hearing date June 4, 2012

Resolution 2012-51 A Chapter 159 Resolution Inserting \$4,000 Received from the Clean Communities Grant into the 2012 Municipal Budget

Hasser moved to approve the resolution as presented. Pausch seconded the motion. Motion carried on roll call vote – all ayes.

For: Bremner, Donahue, Hasser, Hochberg, Pausch

Against: None

Abstain: None

Resolution 2012-52 Resolution to Purchase IT Equipment for the Borough

Hochberg moved to approve the resolution as presented. Hasser seconded the motion. Motion carried on roll call vote – all ayes.

For: Bremner, Donahue, Hasser, Hochberg, Pausch

Against: None

Abstain: None

Resolution 2012-53 Resolution Consenting to the Proposed Water Quality Management Plan (WQMP)

Donahue moved to approve the resolution as presented. Pausch seconded the motion. Motion carried on roll call vote – all ayes.

For: Bremner, Donahue, Hasser, Hochberg, Pausch

Against: None

Abstain: None

Rocky Hill Co-op Benefit Cyclo-Cross Race

TABLED

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UNFINISHED BUSINESS

Inter-local with Millstone Borough to Provide CFO Services
TABLED

Resolution 2012- Resolution Ratifying the Purchase of Temporary Crosswalk Signs
TABLED

NEW BUSINESS

NONE

COMMUNICATIONS

NONE

PUBLIC COMMENT

Cliff Moore of Skillman Ave. suggested that the Borough use "the Cloud" as back up for computer system citing that it is safe from fire.

Raymond Whitlock of 94 Crescent Ave. suggested that the Council ratify the crosswalk resolution.

EXECUTIVE SESSION- Resolution 2012-54 to Retire Into Executive Session (8:33 PM)

Contract Negotiations: Township of Montgomery Sewer Agreement

Hasser moved to retire into executive session. Pausch seconded the motion. Motion carried on voice vote.

RESULTS OF EXECUTIVE SESSION

NONE

ADJOURNMENT

Motion was made by Pausch with a second by Hasser to adjourn the meeting at 9:20 PM. Motion carried on voice, all voted in favor of adjournment.

Respectfully submitted:

Christine Witt
Deputy Borough Clerk

BILL LIST MAY 21, 2012

List of Bills - (0110101001) CASH
CURRENT FUND

Check#	Vendor	Description	Payment	Check Total
7215	29 - BOLLINGER INC	PO 3853 Insurances: general liability, work	12,303.00	12,303.00
7216	71 - DIFRANCESCO BATEMAN PC	PO 3852 Legal fees for tax appeals	225.88	225.88
7217	122 - KENCOR INC	PO 3848 Bi-monthly elevator inspection	75.00	75.00
7218	360 - MCNEIL & COMPANY INC	PO 3707 First Aid squad Insurance	3,468.50	3,468.50
7219	204 - PITNEY BOWES	PO 3842 Postage	207.99	207.99
7220	210 - PSE&G	PO 3843 Crescent Point Park electric	6.64	6.64
7221	210 - PSE&G	PO 3844 Municipal building electric	330.46	330.46
7222	210 - PSE&G	PO 3845 Panicaro Park electric	15.13	15.13
7223	319 - RARITAN VALLEY DISPOSAL INC	PO 3847 Garbage collection	3,808.49	3,808.49
7224	247 - SOMERSET COUNTY TREASURER	PO 3837 Tree Clearance Princeton Ave. 5/2/1	989.25	989.25
7225	247 - SOMERSET COUNTY TREASURER	PO 3850 Health Dept. monthly fee: May 2012	974.17	974.17
7226	251 - SOUTH BOUND BROOK BOROUGH	PO 3851 South Bound Brook Police Service, C	4,593.64	4,593.64
7227	286 - VAN CLEEF ENGINEERING	PO 3855 Engineering services	998.25	998.25
7228	291 - VITAL SERVICES GROUP	PO 3854 Blank Farmland Forms	4.50	4.50
TOTAL				28,000.90

Total to be paid from Fund 01 CURRENT FUND

28,000.90

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28,000.90

List of Bills - (0810101001) CASH
UTILITY OPERATING

Check#	Vendor	Description	Payment	Check Total
6654	415 - AQUA PRO TECH LABS	PO 3839 Water Testing	203.49	203.49
6655	380 - HANS OLSEN	PO 3841 Water Dept. maintenance	60.00	60.00
6656	465 - JEFECO EQUIPMENT	PO 3838 Blue Markout Paint & Sewer Posts	428.70	428.70
6657	450 - ONE CALL CONCEPTS INC	PO 3849 April One Calls	3.54	3.54
6658	210 - PSE&G	PO 3846 Water Department electric	1,147.19	1,147.19
6659	311 - TIM LESKO	PO 3840 Water Dept. maintenance	165.00	165.00
6660	286 - VAN CLEEF ENGINEERING	PO 3856 Engineering services	631.37	631.37
TOTAL				2,639.29

Total to be paid from Fund 08 UTILITY OPERATING

2,639.29

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2,639.29

**Providing for the Insertion of a Special Item of Revenue in the 2012 Budget
Pursuant to N.J.S. A. 40A:4-87 (Chapter 159, P. L. 1948)**

**BOROUGH OF ROCKY HILL
COUNTY OF SOMERSET**

RESOLUTION 2012-51

WHEREAS, N.J.S.A. 40A: 4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount.

SECTION 1

NOW, THEREFORE BE IT RESOLVED on this 21st day of May, 2012, that the Borough of Rocky Hill hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2012 in the sum of \$ 4,000 which item is now available as an additional revenue for Rocky Hill Borough from the State of NJ-Clean Communities

SECTION 2

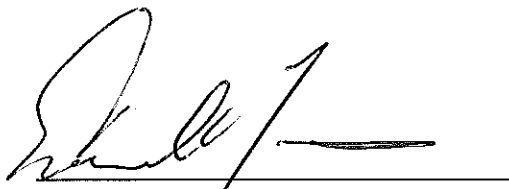
BE IT FURTHER RESOLVED that a like sum of \$ 4,000 and the same is hereby appropriated under the caption of:

State of NJ – Clean Communities Grant

ATTEST:



Rebecca P. Newman
Borough Clerk



Edward P. Zimmerman, Mayor

CERTIFICATION

I, Rebecca P. Newman, Municipal Clerk of the Borough of Rocky Hill, County of Somerset and State of New Jersey, do hereby certify the foregoing to

be a true copy of a Resolution duly adopted by the Mayor and Council on May 21, 2012.

Rebecca P. Newman, Borough Clerk

RESOLUTION 2012 - 52

**BOROUGH OF ROCKY HILL
SOMERSET COUNTY**

WHEREAS, the Borough Clerk's office is in need of certain information technology equipment and software including a new color printer, an external backup disk drive and backup software, an external battery backup system and an external battery backup battery; and

WHEREAS, Sean Dineen an IT expert who volunteers his time to the borough has researched the market and found that suitable equipment and software can be purchased for less than \$2,700; and

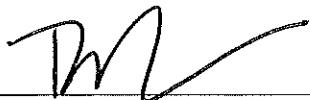
WHEREAS, the Sean Dineen has volunteered to install this equipment; and

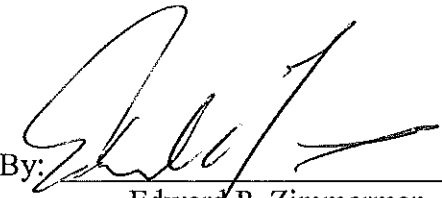
WHEREAS, there are sufficient funds in the Borough's budget to pay for this purchase.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rocky Hill, County of Somerset, State of New Jersey, as follows:

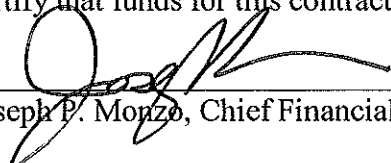
1. That the Borough of Rocky Hill purchase a new color printer, an external backup disk drive and backup software, an external battery backup system and an external battery backup battery for an aggregate amount not to exceed \$2,700.
2. That there are sufficient funds in the Borough of Rocky Hill budget for this purchase as certified by the Chief Financial Officer.
3. This Resolution shall take effect immediately.

ATTEST:

By: 
Rebecca P. Newman, RMC
Borough Clerk

By: 
Edward P. Zimmerman,
Mayor

I, Joseph P. Monzo, Chief Financial Officer of the Borough of Rocky Hill do hereby certify that funds for this contract are available from: 01-201-20-100-199.


Joseph P. Monzo, Chief Financial Officer

CERTIFICATION

I, Rebecca P. Newman, Borough Clerk of the Borough of Rocky Hill do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Borough Council on May 21, 2012.

Rebecca P. Newman, RMC
Borough Clerk

RESOLUTION 2012 - 53

BOROUGH OF ROCKY HILL

SOMERSET COUNTY

RESOLUTION CONSENTING TO THE PROPOSED WATER QUALITY MANAGEMENT PLAN (WQMP) AMENDMENT ENTITLED, "COUNTYWIDE WASTEWATER MANAGEMENT PLAN FOR THE COUNTY OF SOMERSET, NEW JERSEY: FUTURE WASTEWATER SERVICE AEAS"

WHEREAS, the Somerset County Board of Chosen Freeholders and Somerset County Planning Board desire to provide for the orderly development of wastewater facilities throughout the County of Somerset; and

WHEREAS, the New Jersey Department of Environmental Protection (NJDEP) requires that proposed wastewater treatment and conveyance facilities and wastewater service areas, as well as related subjects, be in conformance with an approved Water Quality Management Plan; and

WHEREAS, the NJDEP has established the WQMP amendment procedure as the method of incorporating changes to the previously adopted wastewater service areas consistent with the requirements established in N.J.A.C. 7:15-5.24; and

WHEREAS, a proposed WQMP amendment noticed in the New Jersey Register on May 21, 2012 for the "Countywide Wastewater Management Plan for the County of Somerset; Proposed Future Wastewater Service Areas," has been prepared by the Somerset County Planning Board in coordination with the Borough of Rocky Hill and the NJDEP;

WHEREAS, the Somerset County Planning Board continuously coordinated its work on the proposed "Future Wastewater Service Areas" with the Borough of Rocky Hill Wastewater Management Planning Committee appointed by the Mayor, NJDEP, affected property owners, sewer authorities and other stakeholders, and compiled and submitted the site-specific documentation required to achieve NJDEP acceptance of the proposed "Future Wastewater Service Areas," in accordance with NJDEP's interim review process; and

WHEREAS, all wastewater management planning work by the Somerset County Planning Board has been undertaken in a transparent manner with meaningful public participation through the provision of certified notices to property owners affected by proposed modifications to the sewer service area (SSA) boundaries; posting of maps illustrating the proposed SSA boundaries and related geographic information datasets of the County Planning Board website; issuing public press releases regarding said postings; and hosting the NJDEP Public Meeting on the proposed SSAs on January 20, 2011, in accordance with the requirements of NJDEP Commissioner Martin's Administrative Order 2010-03; and

NOW, THEREFORE, BE IT RESOLVED on this 21 day of May, 2012, by the governing body of the Borough of Rocky Hill that:

1. The Borough of Rocky Hill hereby consents to the amendment entitled, "Countywide Wastewater Management Plan for the County of Somerset: Future Wastewater Service Areas," noticed on May 21, 2012, prepared by the Somerset County Planning Board for the purpose of its incorporation into the applicable WQMPs.
2. This Resolution shall be submitted to the NJDEP in accordance with N.J.7:15-3.4.
3. Copies of this Resolution shall be provided to the Board of Chosen Freeholders of the County of Somerset; Somerset County Planning Board and the Borough of Rocky Hill Wastewater Management Planning Committee.


ATTEST:

By: _____



Rebecca P. Newman, RMC
Borough Clerk

By: _____



Edward P. Zimmerman
Mayor

CERTIFICATION

I, Rebecca P. Newman, Borough Clerk of the Borough of Rocky Hill do hereby certify the foregoing to be true and correct copy of a Resolution adopted by the Borough Council of May 21, 2012.

Rebecca P. Newman, RMC
Borough Clerk

EXPLANATION: THIS RESOLUTION ALLOWS THE BOROUGH COUNCIL TO RETIRE INTO EXECUTIVE SESSION.

BOROUGH OF ROCKY HILL

RESOLUTION 2012- 54


WHEREAS, Section 8 of the Open Public Meetings Act (N.J.S.A. 10:4-12(b) (1-9) permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, the Borough Council is of the opinion that such circumstances exist.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rocky Hill, County of Somerset, State of New Jersey, as follows:

1. The public shall be excluded from discussion of and action on the executive Session of May 21, 2012
2. The general nature of the subject matter to be discussed is as follows: -
 - A. **Contract Negotiations: Township of Montgomery: Sewer Agreement**
 - B. **Potential Litigation: Challenge to Equalization of the School Board Levy Formula**
3. Minutes of said discussion will be made available as soon as it is deemed in the public interest to do so.
4. The Borough Council may take official action on those items discussed in executive session upon completion of the executive session.

This Resolution takes effect immediately.



Rebecca P. Newman

Borough Clerk

CERTIFICATION

I, Rebecca P. Newman, Borough Clerk, of the Borough of Rocky Hill, County of Somerset, State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Borough Council at a regular meeting of said Council held on May 21, 2012.

Rebecca P. Newman

Borough Clerk